

**) Case No.: 3:08-cv-02099-JAH-BLM**

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Pursuant to Fed. R. Civ. P. 41(a)(1) and the parties' filed stipulation, the Court hereby

1. Upon the agreement of all appearing parties, the present matter is to be

2. Parties to bear their own fees and costs.

Dated: February 18, 2009

JOHN A. HOUSTON

United States District Judge